**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

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JODY KRISS and MICHAEL "CHUDI"      :
EJEKAM, et al.,      :
     :      10cv3959-LGS-FM ("Kriss I")
             Plaintiffs,      :
  -against-      :
     :
BAYROCK GROUP LLC, et al.,      :
     :
             Defendants.      :

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JODY KRISS, et al.,      :
     :      13cv3905-LGS-FM ("Kriss II")
             Plaintiffs,      :
  v.      :
     :
BAYROCK GROUP LLC, et al.,      :
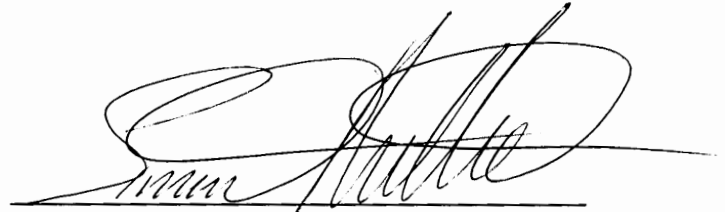     :
             Defendants.      :
     :

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## DECLARATION OF SIMON MILLER IN SUPPORT OF MOTION TO SET ASIDE THE APRIL 30, 2015 ORDER OF MAGISTRATE JUDGE FRANK MAAS

    **SIMON MILLER**, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury, as follows:

1. I am a Partner at Blank Rome, LLP, attorneys for non-party Frederick Oberlander ("Oberlander") in connection to the above captioned matter. I make this declaration in support of Oberlander's motion to set aside the April 30, 2015 Order of the Honorable Magistrate Judge Frank Maas (the "April 30, 2015 Order").

2. Attached hereto as Exhibit A is a copy of the April 30, 2015 Order.

3. Attached hereto as Exhibit B is a copy of the transcript of the April 14, 2015 court conference held before Magistrate Judge Maas in the above captioned matters.

4. Attached hereto as Exhibit C is a copy of the Order of the Honorable Lorna G. Schofield, dated July 23, 2015 referring a specific matter in Kriss I to Magistrate Judge Maas.

5. Attached hereto as Exhibit D is a copy of the July 23, 2014 Order of the Honorable Lorna G. Schofield referring "General Pretrial Supervision" in Kriss I to Magistrate Judge Maas.

6. Attached hereto as Exhibit E is a copy of the June 6, 2014 Order of the Honorable Lorna G. Schofield referring "General Pretrial Supervision" in Kriss II to Magistrate Judge Maas.

7. Attached hereto as Exhibit F is a copy of the March 23, 2015 Order of the Honorable Lorna G. Schofield which, amongst other things, vacated a prior ban on dissemination of certain information.

Dated: New York, New York
      May 14, 2015

**SIMON MILLER**